

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSEPH DOWNING,

Plaintiff,

Case No. 2:23-cv-00419-ART-NJK

V.

OSVALDO FUMO, et al.,

Defendants.

ORDER CLOSING CASE

9 This case involves claims by *pro se* Plaintiff Joseph Downing against
10 criminal defense attorneys, a law firm, and firm staff members for legal
11 malpractice and ineffective assistance of counsel. (ECF No. 11.) The Court
12 previously determined that it lacks subject matter jurisdiction over these claims.
13 (ECF No. 16.) Plaintiff has filed a motion indicating that he wishes to dismiss this
14 case and requesting that the Court waive the filing fee because he is indigent.
15 (ECF No. 17.) Defendants have not responded to Plaintiff's motion.

16 Finding good cause, the Court strikes its prior order granting Plaintiff's IFP
17 application (ECF No. 7) and denies Plaintiff's IFP application as moot. As such,
18 Plaintiff is not required to pay the filing fee.

19 The Clerk of Court is instructed to vacate the portion of the Court's
20 April 20, 2023 order that grants Plaintiff's IFP application (ECF No. 7).

21 Plaintiff's third IFP application (ECF No. 6) is denied as moot.

22 The Clerk of Court is instructed to close this case and enter judgment
23 accordingly.

24 | DATED: November 26, 2024

From Russell Pen

ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE